

To: palexy@ammr.net[palexy@ammr.net]
Cc: Francis, Walt[francis.walt@epa.gov]; Whitney, Brenda[whitney.brenda@epa.gov]; Morris, Julie[morris.julie@epa.gov]; Kennedy, Brian[kennedy.brian@epa.gov]
From: Cahn, Jeffrey
Sent: Mon 7/10/2017 3:54:52 PM
Subject: FW: EPA access to City of St. Francis parkway property

Dear Mr. Alexy:

See below regarding the scope of the work.

Regards,

Jeffrey A. Cahn, Associate Regional Counsel
Office of Regional Counsel (Mail Code C-14J)
U.S. Environmental Protection Agency
77 West Jackson Blvd.
Chicago, Illinois 60604
PH: 312-886-6670
FAX: 312-692-2971
email: cahn.jeff@epa.gov

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From: Whitney, Brenda
Sent: Monday, July 10, 2017 10:38 AM
To: Francis, Walt <francis.walt@epa.gov>; Cahn, Jeffrey <cahn.jeff@epa.gov>
Cc: Morris, Julie <morris.julie@epa.gov>; Kennedy, Brian <kennedy.brian@epa.gov>
Subject: RE: EPA access to City of St. Francis parkway property

Just FYI,

At worst, we would be removing about 1 square foot of grass if we decide to sample. More likely, it would be a 6" square patch.

From: Francis, Walt
Sent: Monday, July 10, 2017 10:33 AM
To: Cahn, Jeffrey <cahn.jeff@epa.gov>
Cc: Morris, Julie <morris.julie@epa.gov>; Whitney, Brenda <whitney.brenda@epa.gov>; Kennedy, Brian <kennedy.brian@epa.gov>
Subject: Fw: EPA access to City of St. Francis parkway property

Jeff -

The XRF analysis will require scraping a small 2 or 3 inch hole in the grass.

If we do soil sampling based on the XRF reading, the amount of sample we need is about 100 grams per sample.

I'm not sure if 100 grams per parkway sample would be considered "excavating".

Walt Francis

U.S. EPA, Region 5

Land and Chemicals Division, RCRA Branch

312-353-4921 (Phone)

312-385-5511 (Fax)

francis.walt@epa.gov

From: Paul Alexy <palex@ammr.net>
Sent: Monday, July 10, 2017 10:23 AM

To: Cahn, Jeffrey

Cc: Francis, Walt; Kennedy, Brian; Whitney, Brenda; Patel, Manojkumar; Morris, Julie

Subject: Re: EPA access to City of St. Francis parkway property

Good Morning Mr. Cahn,

I have forwarded your correspondence to the City and have had further exchange with them on the issue. There was some initial misapprehension that there would be excavation of pavement, but I have cleared that up. There is, however, a permit process for excavating on City lands that I hadn't considered in our initial discussion.

The fee is only \$50, but the ordinance also calls for a deposit and includes a requirement for restoration by sod, rather than the seeding currently proposed. I'm hoping for a specific response today.

Regards,

Paul E. Alexy

Arenz, Molter, Macy, Riffle & Larson, S.C.

P.O. Box 1348

720 N. East Ave.

Waukesha, WI 53186

(262) 548-1340 (Voice)

(262) 548-9211 (Fax)

palex@ammr.net

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On Jul 10, 2017, at 10:07 AM, Cahn, Jeffrey <cahn.jeff@epa.gov> wrote:

Dear Mr. Alexy:

If possible, could you please let me know today the City's answer to EPA's request, below. EPA would like to mail its information sheet to residents in the area today or tomorrow so it arrives timely.

Please contact me if you have questions or concerns that EPA can try to address.

Regards,

Jeffrey A. Cahn, Associate Regional Counsel
Office of Regional Counsel (Mail Code C-14J)
U.S. Environmental Protection Agency
77 West Jackson Blvd.
Chicago, Illinois 60604
PH: 312-886-6670
FAX: 312-692-2971
email: cahn.jeff@epa.gov

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From: Cahn, Jeffrey
Sent: Thursday, July 06, 2017 12:41 PM
To: 'palex@ammr.net' <palex@ammr.net>
Cc: Francis, Walt <francis.walt@epa.gov>; Kennedy, Brian <kennedy.brian@epa.gov>; Whitney, Brenda <whitney.brenda@epa.gov>; Patel, Manojkumar <patel.manojkumar@epa.gov>
Subject: EPA access to City of St. Francis parkway property

Dear Mr. Alexy:

I understand that you are the attorney that represents the City of St. Francis. Please let me know if that is not correct.

EPA would like to screen and potentially take samples of soil surrounding the Mid-America facility. EPA proposes to screen and potentially take soil samples from the public parkway land parcels that lie between roadway curbs and public sidewalks. This includes, but is not limited to, the public parkways along South Pennsylvania Avenue and in front of private residences. EPA requests the consent of the City of St. Francis to conduct these activities. The activities will take place in mid- to late July.

Please respond to this e-mail with a statement that the City consents to granting EPA access for these activities on City property, or that the City is denying access.

If you have any questions or concerns that you would like to discuss first, then please contact me at the phone number, below.

Regards,

Jeffrey A. Cahn, Associate Regional Counsel
Office of Regional Counsel (Mail Code C-14J)
U.S. Environmental Protection Agency
77 West Jackson Blvd.
Chicago, Illinois 60604
PH: 312-886-6670
FAX: 312-692-2971
email: cahn.jeff@epa.gov

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